

LITE DEPALMA GREENBERG, LLC

Bruce D. Greenberg
570 Broad Street, Suite 1201
Newark, New Jersey 07102
Telephone: (973) 623-3000
Facsimile: (973) 623-0858
bgreenberg@litedepalma.com

Attorneys for Plaintiffs and the Classes

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

EDWARD SCHWARTZ, on behalf of himself
and others similarly situated,

Plaintiff,

vs.

AVIS RENT A CAR SYSTEM, LLC, and
AVIS BUDGET GROUP, INC.,

Defendants.

Civil Action No. 11-4052 (JLL) (JAD)

DANIEL KLEIN and STEPHANIE KLEIN,
on behalf of themselves and others similarly
situated,

Plaintiffs,

vs.

BUDGET RENT A CAR SYSTEM, INC. and
AVIS BUDGET GROUP, INC.,

Defendants.

Civil Action No. 12-7300 (JLL) (JAD)

**PLAINTIFFS' UNOPPOSED NOTICE
OF MOTION FOR PRELIMINARY
APPROVAL OF THE CLASS
ACTION SETTLEMENT**

PLEASE TAKE NOTICE that on February 16, 2016, at 10:00 a.m., or soon thereafter
as counsel may be heard, plaintiffs will move before Hon. Jose L. Linares, U.S.D.J., at the U.S.
District Court, M.L. King, Jr. Federal Building & Courthouse, 50 Walnut Street, Newark, New

Jersey 07102, for the entry of an Order:

- (1) preliminarily certifying settlement classes with respect to the claims against defendants pursuant to Fed. R. Civ. P. 23(a) and 23(b)(3), including amending the definition of the certified class in *Schwartz v. Avis*, appointing Plaintiffs' Counsel, Lite DePalma Greenberg, LLC and Karon, LLC, as counsel for the Settlement Classes, and appointing plaintiff Edward Schwartz as class representative for the *Schwartz v. Avis* settlement class and Daniel and Stephanie Klein as class representatives for the *Klein v. Budget* settlement class;
- (2) preliminarily approving the proposed Settlement;
- (3) directing notice to class members consistent with the Notice Plan in the Settlement; and
- (4) scheduling a final approval hearing.

In support of plaintiffs' motion, plaintiffs will rely upon the accompanying Memorandum of Law and Declaration of Bruce D. Greenberg with exhibits. A proposed form of Order is submitted herewith.

Defendants consent to the relief sought in this motion. Accordingly, plaintiffs request that this motion be decided on the papers pursuant to Fed. R. Civ. P. 78.

Dated: January 22, 2016

LITE DEPALMA GREENBERG, LLC

/s/ Bruce D. Greenberg

Bruce D. Greenberg

570 Broad Street, Suite 1201

Newark, NJ 07102

Telephone: (973) 623-3000

Facsimile: (973) 623-0858

brgreenberg@litedepalma.com

KARON LLC

Daniel R. Karon
700 W. St. Clair Ave., Suite 200
Cleveland, OH 44113
Telephone: (216) 622-1851
Facsimile: (216) 241-8175
karon@gskplaw.com

MILLER GOLER FAEGES LAPINE, LLP

Jay R. Faeges
1301 E. 9th St., Suite 2700
Cleveland, OH 44114-1835
Telephone: (216) 696-3366
Facsimile: (216) 363-5835
faeges@mgfl-law.com

Attorneys for Plaintiffs and the Classes

CERTIFICATE OF SERVICE

I, Bruce D. Greenberg, hereby certify that on January 22, 2016, I caused a copy of (a) Notice of Plaintiffs' Unopposed Motion For Preliminary Approval of Class Action Settlement; (b) Memorandum of Law in Support of Plaintiff's Unopposed Motion For Preliminary Approval of Class Action Settlement; and (c) Declaration of Bruce Greenberg with Exhibits, to be served upon all counsel of record through the Court's ECF system.

/s/ Bruce D. Greenberg
Bruce D. Greenberg